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Crime prevention and criminal justice

Report of the Third Committee

Rapporteur: Ms. Tebatso Future **Baleseng** (Botswana)

I. Introduction

1. At its 3rd plenary meeting, on 21 September 2007, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-second session the item entitled "Crime prevention and criminal justice" and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 6th to 8th, 16th, 25th, 34th and 39th meetings, on 10, 11, 18 and 25 October and 1 and 8 November 2007. At its 6th to 8th meetings, on 10 and 11 October, the Committee held a general discussion on the item jointly with item 107, entitled "International drug control". An account of the Committee's discussion is contained in the relevant summary records (A/C.3/62/SR.6-8, 16, 25, 34 and 39).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity (A/62/126);

(b) Report of the Secretary-General on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (A/62/127);

(c) Note by the Secretary-General transmitting the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its third session, held in Vienna from 9 to 18 October 2006 (A/62/84).

4. At the 6th meeting, on 10 October, the Executive Director of the United Nations Office on Drugs and Crime and Director-General of the United Nations Office at Vienna made an introductory statement (see A/C.3/62/SR.6).

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5. At the same meeting, the Executive Director of the United Nations Office on Drugs and Crime responded to questions and comments made by the representatives of Guinea-Bissau, the Sudan, Barbados, Gabon and Benin (see A/C.3/62/SR.6).

II. Consideration of proposals

A. Draft resolution A/C.3/62/L.2

6. By its resolution 2007/18 of 26 July 2007, the Economic and Social Council had recommended to the General Assembly the adoption of a draft resolution entitled "Technical assistance for implementing the international conventions and protocols relating to terrorism". The draft resolution was reproduced in a note by the Secretariat (A/C.3/62/L.2).

7. At the 16th meeting, on 18 October, the Secretary of the Committee read out a statement regarding programme budget implications arising from the draft resolution.

8. At the same meeting, the Committee adopted the draft resolution contained in document A/C.3/62/L.2 without a vote (see para. 24, draft resolution I).

9. After the adoption of the draft resolution, a statement was made by the representative of Pakistan (see A/C.3/62/SR.16).

B. Draft resolution A/C.3/62/L.3

10. By its resolution 2007/17 of 26 July 2006, the Economic and Social Council had recommended to the General Assembly the adoption of a draft resolution entitled "Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice". The draft resolution was reproduced in a note by the Secretariat (A/C.3/62/L.3).

11. At the 16th meeting, on 18 October, the Secretary of the Committee read out a statement regarding programme budget implications arising from the draft resolution.

12. At the same meeting, following statements by the representatives of Brazil and Qatar, the Secretary orally revised operative paragraph 6 of the draft resolution by inserting the word "Brazil" after the words "the Government of".

13. Also at its 16th meeting, the Committee adopted the draft resolution contained in document A/C.3/62/L.3, as orally revised, without a vote (see para. 24, draft resolution II).

C. Draft resolution A/C.3/62/L.11

14. At the 16th meeting, on 18 October, the representative of Benin, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders" (A/C.3/62/L.11).

Subsequently, Barbados, Belarus, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Indonesia, Jamaica, Lebanon, Nicaragua and Panama joined in sponsoring the draft resolution.

15. At its 34th meeting, on 1 November, the Committee was informed that the draft resolution had no programme budget implications.

16. At the same meeting, the representative of Benin, on behalf of the States Members of the United Nations that are members of the African Group of States, orally revised the text as follows:

(a) Operative paragraph 2, which read:

"2. *Commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by involving it in the implementation of a number of its projects as well as funding projects proposed by the Institute and its partners",

was replaced by:

"2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the Programme of Action 2006-2010 on strengthening the rule of law and the criminal justice systems in Africa";

(b) At the beginning of operative paragraph 3, the word "*Further*" was inserted before the word "*commends*";

(c) Operative paragraph 5, which read:

"5. *Notes* the improvement in contributions from States members of the Institute",

was replaced by:

"5. *Notes* a significant increase in the levels of payment of member States' financial contributions to the Institute";

(d) In operative paragraph 7, the words "*Calls upon*" were replaced by the words "*Also urges*", and the words "and the international community" were inserted after the words "non-governmental organizations";

(e) Operative paragraph 8, which read:

"8. *Recognizes* that Africa still lacks the trained personnel, infrastructure and economic drive to strengthen crime prevention and criminal justice systems in their countries, and urges the international community to support the activities of the Institute to strengthen crime prevention and criminal justice in the African continent",

was replaced by:

"8. *Further urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime".

17. Also at its 34th meeting, the Committee adopted draft resolution A/C.3/62/L.11, as orally revised, without a vote (see para. 24, draft resolution III).

D. Draft resolutions A/C.3/62/L.12 and Rev.1

18. At the 25th meeting, on 25 October, the representative of Italy, on behalf of Belarus, Bosnia and Herzegovina, Bulgaria, Colombia, Croatia, Cuba, Ecuador, El Salvador, Ghana, Guatemala, Hungary, Indonesia, Italy, Japan, Jordan, Latvia, Mexico, Panama, Serbia, Sierra Leone, Slovakia, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and the United Republic of Tanzania, introduced a draft resolution entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity" (A/C.3/62/L.12). Subsequently, Albania, Austria, Azerbaijan, Cape Verde, Chile, Cyprus, the Czech Republic, Estonia, Germany, Honduras, Ireland, Jamaica, Luxembourg, Moldova, Montenegro, the Netherlands, Poland, Romania, San Marino, Spain and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution, which read:

"*The General Assembly*,

"*Recalling* its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme,

"*Recalling also* its resolution 61/181 of 20 December 2006 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

"*Recalling further* its resolution 60/1 of 16 September 2005 on the World Summit Outcome, in particular the sections on terrorism and transnational crime,

"*Affirming* Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime, which is aimed at, inter alia, making the Office more results-oriented and enhancing its effectiveness and flexibility in responding to the growing demand for technical assistance and policy services, translating that vision into a platform for action and facilitating the alignment of resources to achieve the desired results,

"*Recalling* section XI of its resolution 61/252 of 22 December 2006, entitled 'Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body', by which the Commission, as the principal policymaking body on crime prevention and criminal justice issues, was given the authority to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund,

"*Recalling also* its resolution 61/209 of 20 December 2006 on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption,

"*Reaffirming* its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption and the international conventions and protocols

against terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism, which entered into force on 7 July 2007,

"*Reaffirming also* the commitment undertaken by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006, to take urgent action to prevent and counter terrorism in all its forms and manifestations,

"*Bearing in mind* its resolution 61/180 of 20 December 2006 on improving the coordination of efforts against trafficking in persons and the specific role of the United Nations Office on Drugs and Crime in this respect,

"*Welcoming* the launch of the United Nations Global Initiative to Fight Human Trafficking and the planned Vienna Forum, aiming to raise awareness and foster international cooperation and global partnerships to effectively address the issue of human trafficking, in accordance with decision 16/1 of the Commission on Crime Prevention and Criminal Justice,

"*Taking into consideration* all relevant Economic and Social Council resolutions, in particular resolutions 2007/20, 2007/21, 2007/22, 2007/23 and 2007/24 of 26 July 2007, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance, in particular in Africa,

"*Emphasizing* that its resolution 61/143 of 19 December 2006 on the intensification of efforts to eliminate all forms of violence against women has important implications for the United Nations Crime Prevention and Criminal Justice Programme and its activities,

"*Recalling* the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,

"*Recognizing* that action against global crime is a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all its forms and manifestations,

"1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 61/181;

"2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice and of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

"3. *Recognizes* the progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of trafficking in human beings, including the support and protection of victims, corruption, organized crime, money-laundering, terrorism and international cooperation, with special emphasis on extradition and mutual legal assistance as well as efforts undertaken in implementing the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa, in order to reduce the impact of crime and drugs as impediments to security and development in Africa;

"4. *Welcomes* the outcome of the Commission on Crime Prevention and Criminal Justice's reconvened sixteenth session in November 2007 that approved the budget of the United Nations Crime Prevention and Criminal Justice Fund for the biennium 2008-2009;

"5. *Invites* Member States to identify local best practices in combating trafficking in persons and to share their findings with the United Nations Office on Drugs and Crime to further assist it in its efforts to combat the global threat of human trafficking, and encourages States to participate in and support events organized in the framework of the United Nations Global Initiative to Fight Human Trafficking;

"6. *Notes with satisfaction* Economic and Social Council decision 2007/253 of 26 July 2007, according to which the Commission on Crime Prevention and Criminal Justice, at its seventeenth session in April 2008, would hold a thematic discussion on the aspects of violence against women that pertain directly to the Commission, and which encourages Member States to be appropriately represented and to actively participate in the thematic debate;

"7. *Draws attention* to the emerging policy issues identified in the Secretary-General's report, inter alia, urban crime, child sexual exploitation, fraud and identity theft, international trafficking in forest products, including timber, wildlife and other forest biological resources, and invites the United Nations Office on Drugs and Crime to explore, within its mandate, ways and means of addressing these issues;

"8. *Urges* States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures to support and complement the work of the United Nations Crime Prevention and Criminal Justice Programme in effectively addressing transnational organized crime, including trafficking in persons, smuggling of migrants and illicit manufacturing of and trafficking in firearms, as well as corruption and terrorism;

"9. *Urges* all States that have not yet done so to consider signing, ratifying or acceding to the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto, the United Nations Convention against Corruption and the international conventions and protocols related to terrorism, and encourages States parties to continue to provide full support to the Conference of the Parties to the United Nations

Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption;

"10. *Requests* the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism, and through capacity-building in the legal and related aspects of counter-terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, and to continue to contribute to the work of the Counter-Terrorism Implementation Task Force in the implementation of the United Nations Global Counter-Terrorism Strategy, and invites Member States to consider increasing the level of extrabudgetary and regular budget resources for implementing the counter-terrorism work of the United Nations Office on Drugs and Crime;

"11. *Encourages* Member States to take all appropriate measures to ensure the full use and application of the United Nations standards and norms in crime prevention and criminal justice, including by striving for the widest possible dissemination of these standards and norms to relevant practitioners, the translation of the standards and norms into national languages, the drafting or revision of relevant national legislation in line with the standards and norms and the provision of training to criminal justice officials in the implementation of the standards, including by employing existing manuals, handbooks and model legislation developed and published by the United Nations Office on Drugs and Crime;

"12. *Reiterates* the importance of providing the United Nations Crime Prevention and Criminal Justice Programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those countries emerging from conflict, in the area of crime prevention and criminal justice reform;

"13. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice;

"14. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-third session on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, reflecting also emerging policy issues and possible responses."

19. At its 34th meeting, on 1 November, the Committee had before it a revised draft resolution (A/C.3/62/L.12/Rev.1), submitted by Albania, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Ecuador, El Salvador, Estonia, Finland, Germany, Ghana, Guatemala, Honduras, Hungary, Indonesia, Ireland,

Israel, Italy, Jamaica, Japan, Jordan, Latvia, Liechtenstein, Luxembourg, Mexico, Moldova, Montenegro, the Netherlands, Norway, Panama, Poland, the Republic of Korea, Romania, San Marino, Serbia, Sierra Leone, Slovakia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, the United Republic of Tanzania and the United Kingdom of Great Britain and Northern Ireland. Subsequently, Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Bangladesh, Belgium, Benin, Bolivia, Cameroon, Canada, China, Côte d'Ivoire, the Democratic Republic of the Congo, Denmark, Djibouti, the Dominican Republic, France, Georgia, Greece, Iceland, Iraq, Kazakhstan, Kyrgyzstan, Lesotho, Liberia, Lithuania, Malawi, Malta, Mongolia, Morocco, Nicaragua, Nigeria, Paraguay, Peru, the Philippines, Portugal, the Russian Federation, Senegal, Slovenia, the Sudan, Thailand, Timor-Leste, Uganda, Ukraine, the United States of America, Uruguay, Uzbekistan, Viet Nam and Zambia joined in sponsoring the revised draft resolution.

20. At the same meeting, the Secretary of the Committee read out a statement regarding programme budget implications arising from the draft resolution (see A/C.3/62/SR.34).

21. Also at its 34th meeting, the Committee adopted draft resolution A/C.3/62/L.12/Rev.1 without a vote (see para. 24, draft resolution IV).

22. Before the adoption of the draft resolution, a statement was made by the representative of the Bolivarian Republic of Venezuela (see A/C.3/62/SR.34).

E. Draft decision proposed by the Chairman

23. At its 39th meeting, on 8 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the note by the Secretary-General transmitting the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its third session, held in Vienna from 9 to 18 October 2006 (A/62/84) (see para. 25).

III. Recommendations of the Third Committee

24. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Technical assistance for implementing the international conventions and protocols relating to terrorism

The General Assembly,

Recalling all General Assembly and Security Council resolutions related to technical assistance in countering terrorism,

Stressing the essential need to strengthen international, regional and subregional cooperation to prevent and suppress effectively terrorism in all its forms and manifestations, committed by whomever, whenever and for whatever purposes, in particular by enhancing the national capacity of Member States through the provision of technical assistance,

Reaffirming all aspects of the United Nations Global Counter-Terrorism Strategy, adopted by the General Assembly in its resolution 60/288 of 8 September 2006,

Acknowledging that, in the Strategy, Member States resolved to implement all relevant General Assembly and Security Council resolutions related to terrorism,

Stressing the importance of the institutionalization of the Counter-Terrorism Implementation Task Force within the Secretariat in order to ensure overall coordination and coherence of the counter-terrorism efforts of the United Nations system, with the aim of providing technical assistance to Member States,

Mindful that, in the Strategy, Member States encouraged the United Nations Office on Drugs and Crime, including its Terrorism Prevention Branch, to enhance, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and relevant United Nations resolutions,

Bearing in mind that, in the Strategy, Member States encouraged the International Monetary Fund, the World Bank, the United Nations Office on Drugs and Crime and the International Criminal Police Organization to enhance cooperation with States to help them to comply fully with international norms and obligations to combat money-laundering and the financing of terrorism,

Bearing in mind also that, in the Strategy, Member States encouraged relevant regional and subregional organizations to create or strengthen counter-terrorism mechanisms or centres and encouraged, where consistent with its existing mandate, the United Nations Office on Drugs and Crime, in cooperation with the Counter-Terrorism Committee and its Executive Directorate, to facilitate the provision of cooperation and assistance to that end,

Recalling its resolution 61/181 of 20 December 2006, in which it invited all States to increase their support to the operational activities of the United Nations

Crime Prevention and Criminal Justice Programme through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through voluntary contributions in direct support of such activities,

Recalling also that the Security Council, in its resolution 1535 (2004) of 26 March 2004, recognized that visits by the Counter-Terrorism Committee to States, with the consent of the State concerned, to monitor the implementation of Security Council resolution 1373 (2001) of 28 September 2001 should be conducted, when appropriate, in close cooperation with relevant international, regional and subregional organizations and other United Nations bodies, including the United Nations Office on Drugs and Crime, in particular with its Terrorism Prevention Branch, taking special care of the assistance that might be available to address States' needs,

Expressing its appreciation for the efforts recently undertaken by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to maximize the efficiency of its technical assistance by providing it in the official languages of the United Nations,

Noting with appreciation initiatives to facilitate the implementation of the Strategy, such as the Symposium on Advancing the Implementation of the United Nations Global Counter-Terrorism Strategy, held in Vienna on 17 and 18 May 2007 and organized by the Government of Austria, in cooperation with the Executive Office of the Secretary-General and the United Nations Office on Drugs and Crime,

1. *Commends* the United Nations Office on Drugs and Crime, including its Terrorism Prevention Branch, for providing, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols relating to the prevention and suppression of terrorism and relevant United Nations resolutions, and requests the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to continue its efforts in that regard;

2. *Urges* Member States that have not yet done so to consider becoming parties without delay to the existing international conventions and protocols relating to terrorism, and requests the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide legislative assistance to Member States, upon request, and to facilitate the implementation of those instruments;

3. *Also urges* Member States to strengthen international cooperation, to the greatest extent possible, in order to prevent and suppress terrorism, including, when necessary, by entering into bilateral treaties on extradition and mutual legal assistance, within the framework of the international conventions and protocols relating to terrorism and relevant United Nations resolutions, and in accordance with international law, including the Charter of the United Nations, and to ensure adequate training of all relevant personnel in executing international cooperation, and requests the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide assistance to Member States, upon request, to that end;

4. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to intensify its efforts to provide Member

States with technical assistance, upon request, to strengthen international cooperation in preventing and suppressing terrorism by facilitating the implementation of the international conventions and protocols relating to terrorism, in particular by training criminal justice officials on the implementation of those international instruments, for instance through specialized training sessions and specialized technical tools and publications, in close coordination with the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force;

5. *Recognizes* the importance of the development and maintenance of fair and effective criminal justice systems, including the humane treatment of all those in pretrial and correctional facilities, in accordance with applicable international law as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, whenever appropriate, to take into account in its technical assistance programme to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

6. *Requests* the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and its Executive Directorate, to continue to work with international organizations and relevant entities of the United Nations system, as well as with regional and subregional organizations, in the delivery of technical assistance, whenever appropriate and within its mandate, specifically to enhance legal cooperation, good practices and legal training in the area of counter-terrorism;

7. *Expresses its appreciation* to all Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites all Member States to consider making additional voluntary financial contributions, as well as providing in-kind support, especially in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of relevant provisions of the United Nations Global Counter-Terrorism Strategy;[1]

8. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with sufficient resources for its activities, including in the area of counter-terrorism, within its mandate, for assisting Member States in the implementation of the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime;

9. *Requests* the Executive Director to report on expenditure for terrorism prevention activities, in the context of the consolidated budget for the biennium 2008-2009 for the United Nations Office on Drugs and Crime, to the Commission on Crime Prevention and Criminal Justice at its resumed eighteenth session;

10. *Requests* the Secretary-General to submit to it at its sixty-third session a written report on the implementation of the present resolution.

[1] Resolution 60/288.

Draft resolution II
Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Recalling its resolution 56/201 of 21 December 2001, on the triennial policy review of operational activities for development of the United Nations system, and Economic and Social Council resolution 2003/3 of 11 July 2003, on the progress in the implementation of General Assembly resolution 56/201, in which the Council recommended that all organizations of the United Nations development system should consider lessons learned and their dissemination as a specific required component of their activities, emphasized the importance of evaluation of operational activities of the United Nations system in order to enhance their effectiveness and impact, and called upon the Secretary-General to integrate into future reports a stronger focus on lessons learned, results and outcome,

Recalling also its resolution 57/270 B of 23 June 2003, in which it emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits,

Recalling further its resolution 60/177 of 16 December 2005, in which it endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[1] adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and approved by the Commission on Crime Prevention and Criminal Justice at its fourteenth session and subsequently by the Economic and Social Council in its resolution 2005/15 of 22 July 2005,

Recalling Economic and Social Council resolution 2006/26 of 27 July 2006, in which the Council requested the United Nations Office on Drugs and Crime to convene an intergovernmental group of experts to discuss the Eleventh Congress and previous congresses in order to accumulate and consider lessons learned from prior congresses with a view to developing a methodology for capturing lessons learned for future congresses, and to submit a report on its work to the Commission on Crime Prevention and Criminal Justice at its sixteenth session for its

[1] Resolution 60/177, annex.

consideration, and welcomed the offer of the Government of Thailand to act as host to the intergovernmental group of experts,

Recalling also its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Twelfth United Nations Congress on Crime Prevention and Criminal Justice is to be held in 2010,

1. *Takes note* of the report of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice on its meeting held in Bangkok from 15 to 18 August 2006,[2] and endorses the conclusions and recommendations of the Intergovernmental Group of Experts;[3]

2. *Reiterates its invitation* to Member States to implement the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice[1] and the recommendations adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice in formulating legislation and policy directives, where appropriate;

3. *Encourages* Member States to consider utilizing the reporting checklist developed by the Government of Thailand on implementation of the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, as a useful self-assessment tool in their reporting on the follow-up to the Eleventh Congress;

4. *Requests* the Secretary-General to facilitate the organization of regional preparatory meetings, including meetings of the least developed countries, for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice;

5. *Also requests* the Secretary-General to prepare, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, a discussion guide for the regional preparatory meetings for the Twelfth Congress, for consideration and approval by the Commission on Crime Prevention and Criminal Justice, and invites Member States to be actively involved in that process;

6. *Accepts with gratitude* the offer of the Government of Brazil to act as host to the Twelfth Congress, and requests the Secretary-General to initiate consultations with the Government and to report on them to the Commission on Crime Prevention and Criminal Justice at its seventeenth session;

7. *Decides* that the duration of the Twelfth Congress should not exceed eight days, including pre-Congress consultations;

8. *Invites* Member States to be represented at the Twelfth Congress at the highest possible level, for example by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Twelfth Congress and to participate in interactive round tables;

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[2] E/CN.15/2007/6.

[3] Ibid., paras. 35-47.

9. *Encourages* the relevant United Nations programmes, specialized agencies of the United Nations system and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Twelfth Congress;

10. *Reiterates its request* to the Secretary-General to provide the United Nations Office on Drugs and Crime with the necessary resources, from within the overall appropriations of the programme budget for the biennium 2008-2009, for the preparations for the Twelfth Congress and to ensure that adequate resources are provided in the programme budget for the biennium 2010-2011 to support the holding of the Twelfth Congress;

11. *Requests* the Secretary-General to make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Twelfth Congress and in the Congress itself, in accordance with past practice;

12. *Requests* the Commission on Crime Prevention and Criminal Justice, at its seventeenth session, to finalize the programme for the Twelfth Congress and to make its final recommendations on the theme and on the organization of round tables and workshops to be held by panels of experts, through the Economic and Social Council, to the General Assembly;

13. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon to the General Assembly, through the Commission on Crime Prevention and Criminal Justice at its seventeenth session.

Draft resolution III
United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 61/182 of 20 December 2006 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[1]

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Bearing in mind also the Programme of Action, 2006-2010, endorsed by the Round Table for Africa, held in Abuja on 5 and 6 September 2005,[2]

Aware of the devastating impact of crime on the national economies of African States and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the Programme of Action, 2006-2010 on strengthening the rule of law and criminal justice systems in Africa;

3. *Further commends* the Secretary-General for his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

4. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

5. *Notes* a significant increase in the levels of payment of member States' financial contributions to the Institute;

6. *Urges* the States members of the Institute to continue to make every possible effort to meet their obligations to the Institute;

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[1] A/62/127.

[2] Available from www.unodc.org/arts/docs/english_prog_action.pdf.

7. *Also urges* all Member States and non-governmental organizations and the international community to continue adopting concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

8. *Further urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime;

9. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

10. *Also requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

11. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme and the United Nations Office on Drugs and Crime to continue to work closely with the Institute;

12. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

13. *Also requests* the Secretary-General to continue making concrete proposals, including the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its sixty-third session on the implementation of the present resolution.

Draft resolution IV
Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations Crime Prevention and Criminal Justice Programme, and its resolution 61/181 of 20 December 2006 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Recalling also its resolution 60/1 of 16 September 2005 on the World Summit Outcome, in particular the sections on transnational crime and terrorism,

Taking note with appreciation of the adoption by the Economic and Social Council of the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,[1] which aims, inter alia, to enhance its effectiveness and flexibility in providing technical assistance and policy services,

Recalling section XI of its resolution 61/252 of 22 December 2006, entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme and the role of the Commission on Crime Prevention and Criminal Justice as its governing body", where the Commission, as the principal United Nations policymaking body on crime prevention and criminal justice issues, was given the authority to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund, and looking forward to the outcome of the resumed sixteenth session of the Commission on Crime Prevention and Criminal Justice, to be held on 29 and 30 November 2007,

Recalling also its resolution 61/209 of 20 December 2006, entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption",

Reaffirming its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] the United Nations Convention against Corruption[3] and all the international conventions and protocols against terrorism, including those recently entered into force,

Reaffirming also the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,[4]

Recalling its resolution 61/180 of 20 December 2006, on improving the coordination of efforts against trafficking in persons and the coordinating role of the United Nations Office on Drugs and Crime in this respect,

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[1] See Economic and Social Council resolutions 2007/12 and 2007/19.

[2] Resolution 55/25, annexes I-III, and resolution 55/255, annex.

[3] Resolution 58/4, annex.

[4] Resolution 60/288.

Welcoming the joint launch of the United Nations Global Initiative to Fight Human Trafficking by the United Nations Office on Drugs and Crime, the International Labour Office, the International Organization for Migration, the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and the United Nations Children's Fund, as well as the planned Vienna Forum, which is to be held from 13 to 15 February 2008, aiming to raise awareness and foster international cooperation and global partnerships to effectively address trafficking in persons, in accordance with decision 16/1 of the Commission on Crime Prevention and Criminal Justice,[5]

Taking into consideration all relevant Economic and Social Council resolutions, in particular resolutions 2007/20, 2007/21, 2007/22, 2007/23 and 2007/24 of 26 July 2007, and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance, in particular in Africa,

Emphasizing that its resolution 61/143 of 19 December 2006 on the intensification of efforts to eliminate all forms of violence against women has considerable implications for the United Nations Crime Prevention and Criminal Justice Programme and its activities,

Recalling the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,[6]

Recognizing that actions against transnational organized crime and terrorism are a common and shared responsibility, and stressing the need to work collectively to prevent and combat transnational organized crime, corruption and terrorism in all its forms and manifestations,

Recognizing also the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all relevant priorities identified by the General Assembly and the Economic and Social Council,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 61/181;[7]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices;

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[5] See E/2007/30-E/CN.15/2007/17, chap. I, sect. D; for the final text, see *Official Records of the Economic and Social Council, 2007, Supplement No. 10.*

[6] Resolution 60/177, annex.

[7] A/62/126.

3. *Recognizes* the progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of corruption, organized crime, money-laundering, terrorism, kidnapping, trafficking in persons, including the support and protection of victims, and international cooperation, with special emphasis on extradition and mutual legal assistance, as well as efforts undertaken in implementing the Programme of Action, 2006-2010, on strengthening the rule of law and the criminal justice systems in Africa,[8] in order to reduce the impact of crime and drugs as impediments to security and development in Africa;

4. *Notes* the importance of continuing to enable Member States to strengthen their capacity in developing abilities to combat kidnapping in accordance with the United Nations Counter-Kidnapping Manual, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance and cooperation in this area, upon request by interested Member States;

5. *Invites* Member States to identify, on a continuous basis, best practices in combating trafficking in persons and to share the outcome with the United Nations Office on Drugs and Crime and, where appropriate, with the other partners in the United Nations Global Initiative to Fight Human Trafficking, to further assist them in their efforts to combat the global threat of human trafficking;

6. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have mandates concerning transnational organized crime, as appropriate, in order to share best practices and to take advantage of their unique and comparative advantage;

7. *Notes with satisfaction* Economic and Social Council decision 2007/253 of 26 July 2007, according to which the Commission on Crime Prevention and Criminal Justice, at its seventeenth session in April 2008, would hold a thematic discussion on the aspects of violence against women that fall within its mandate, and encourages Member States to be appropriately represented and to participate actively in the thematic debate;

8. *Draws attention* to the emerging policy issues identified in the report of the Secretary-General,[7] inter alia, urban crime, child sexual exploitation, fraud and identity theft, international trafficking in forest products, including timber, wildlife and other forest biological resources, and invites the United Nations Office on Drugs and Crime to explore, within its mandate, ways and means of addressing these issues, bearing in mind Economic and Social Council resolutions 2007/12 of 25 July 2007 and 2007/19 of 26 July 2007 on the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime;

9. *Urges* Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme, to address effectively transnational organized crime, including trafficking in persons, smuggling of migrants and illicit manufacturing of and transnational trafficking in firearms, as well as corruption and terrorism;

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[8] See Economic and Social Council resolution 2006/21.

10. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its regional offices in building capacity at the local level in the fight against transnational organized crime and drug trafficking, and urges the Office to consider regional vulnerabilities, projects and impact in the fight against transnational organized crime, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

11. *Urges* all Member States that have not yet done so to consider signing, ratifying or acceding to the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the Protocols thereto,[2] the United Nations Convention against Corruption (Merida Convention)[3] and the international conventions and protocols related to terrorism, and encourages States parties to continue to provide full support to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption, including providing information to the Conferences regarding compliance with the treaties;

12. *Requests* the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office on Drugs and Crime with appropriate resources for its mandate;

13. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

14. *Reiterates* the importance of providing the United Nations Crime Prevention and Criminal Justice Programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those emerging from conflict, in the area of crime prevention and criminal justice reform;

15. *Reiterates* its request to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice;

16. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-third session on the implementation of the mandates of the United Nations Crime Prevention and Criminal Justice Programme, reflecting also emerging policy issues and possible responses.

25. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Document considered by the General Assembly in connection with the question of crime prevention and criminal justice

The General Assembly takes note of the note by the Secretary-General transmitting the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its third session, held in Vienna from 9 to 18 October 2006.[1]

[1] A/62/84.